



# STATE'S ATTORNEY NOTIFICATION

**FC No.: 612**

**Date: 08-28-09**

If a provision of a regulation, departmental directive, rule, or procedure conflicts with a provision of the contract, the contract prevails except where the contract provision conflicts with State law or the Police Collective Bargaining Law. (FOP Contract, Article 61)

## Contents:

- I. Policy
- II. *Procedure for Contacting the SAO***
- III. Major Offenders
- IV. Serious or Notorious Criminal Activity
- V. CALEA Standard
- VI. Proponent Unit
- VII. Cancellation

### **I. Policy**

The department will work in conjunction with the State's Attorney's Office (SAO) to assure the most effective prosecution of criminal offenders. Following the procedures specified below will bring an Assistant State's Attorney (ASA) into the cases against serious and habitual offenders as early as possible.

### **II. *Procedure for Contacting the SAO***

*During business hours, officers can call the State's Attorneys Office at 240-777-7300. When an officer needs to contact an ASA after normal hours, the officer will make the request through ECC. ECC will contact the on-call ASA and request that the ASA call the officer.*

### **III. Major Offenders**

Criminals meeting the criteria for major offenders will receive enhanced attention from the SAO through all stages of prosecution. Officers will contact the SAO when a major offender is located, charged, or a warrant is obtained so that a senior ASA can be assigned to assist officers in strengthening the proof of guilt and monitor, as well as expedite, the processing of the defendant, including attending the initial bond hearing.

#### **A. Immediate Notification to a Deputy State's Attorney**

When a suspect is charged with murder, no matter what the suspect's prior criminal activity or record may be, immediate notification *should* be made directly to one of the two Deputy State's Attorneys.

#### **B. Next Business Day Notification to the SAO**

***By the next business day***, notify the SAO when the defendant has a prior felony adult conviction from any jurisdiction or a serious juvenile record and the defendant is charged with:

1. Rape (1st and 2nd degree).
2. Armed Robbery.
3. Sexual Offenses (1st and 2nd degree).
4. All attempts to commit the above crimes.

NOTE: If it can only be determined that the defendant was previously charged with a felony, proceed as though that charge resulted in a conviction until the actual disposition can be verified.

**IV. Serious Criminal Activity**

The shift *supervisor responsible for the scene* or *the primary* criminal investigator *should* contact the appropriate ASA for the following incidents within the listed timeframe:

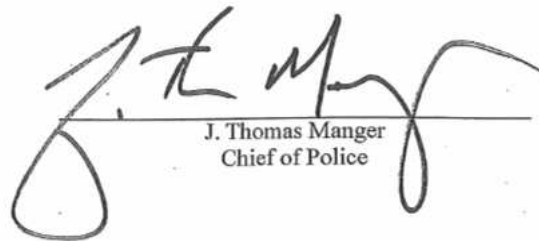
1. Homicide – notify one of the Deputy State’s Attorneys while on the scene.
2. Any rape where the suspect is not known to the victim – within 24 hours.
3. 1st or 2nd degree sex offense – within 24 hours.
4. Child abuse that results in death or serious injury – within 24 hours.
5. Fatal traffic accidents – by the next workday.
6. Felony that is unusual and/or complex and generates media interest – as soon as practical.

**V. CALEA Standards: Chapter 42**

**VI. Proponent Unit: ISB Administration**

**VII. Cancellation**

*This directive cancels Function Code 612, dated 08-21-02.*



J. Thomas Manger  
Chief of Police